



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

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FOR IMMEDIATE RELEASE CONTACT: Chris Hedges
1-800-368-8808
304-558-8986

**ATTORNEY GENERAL DARRELL MCGRAW FILES LAWSUIT IN
HARRISON COUNTY CIRCUIT COURT AGAINST BARTOLO FUNERAL HOME
EVIDENCE SUGGESTS THOUSANDS HAVE BEEN
MISAPPROPRIATED FROM CONSUMERS' PRENEED ACCOUNTS**

Attorney General Darrell McGraw has filed suit against Bartolo Funeral Home, Inc., and its owner, James F. Bartolo ("Bartolo"), in the Circuit Court of Harrison County. The lawsuit alleges that the funeral home has been accepting money from consumers as advance payment for their funeral services, but that Bartolo repeatedly failed to deposit their money in trust accounts for safekeeping, as required by law.

Bartolo ceased doing business at his Clarksburg funeral home last year, and told a number of his customers that he would perform funerals out of a nearby facility, under an arrangement with a Nutter Fort-based funeral home. As a result, some consumers decided to transfer their preneed funeral accounts to other funeral service providers in the area. When consumers asked for their money back plus interest, Bartolo refused to return any of it in some cases and less than the amount owed in other cases. After receiving several complaints against Bartolo, Attorney General McGraw's office investigated, and found that Bartolo had never reported the transactions to the State, and had failed to deposit these consumers' funds in trust accounts or insurance policies, as required by law.

An audit by the Attorney General's office further revealed at least 50 preneed accounts that Bartolo had failed to report to the State, and 26 instances where Bartolo had failed to report his withdrawals of consumers' money after servicing their contracts. Following the audit, the Attorney General's office warned Bartolo numerous times that he must abide by disclosure requirements and submit the missing documents. However, in the months following the audit, Bartolo has never fully complied.

The lawsuit seeks to forever ban Bartolo from accepting prepayments from consumers for funeral purchases, and to seize his preneed contract accounts and funds to prevent future mishandling. The suit also seeks restitution for any consumers whose funds were misappropriated by Bartolo, as well as civil penalties and punitive damages for the funeral director's repeated violations, with interest on all judgments.

Any customer of Bartolo Funeral Home suspecting that their prepayments may have been mishandled should contact the Attorney General's Consumer Hotline at 800-368-8808 or 304-558-8986.

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